

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: R.C. Dezutter et al. Attorney Docket No.: WEYE121573/25273
Application No.: 10/674,609 Art Unit: 1731 / Confirmation No: 4192
Filed: September 29, 2003 Examiner: M. Halpern
Title: METHOD FOR CONVEYING, MIXING, AND LEVELING DEWATERED
PULP PRIOR TO DRYING

RESPONSE

Seattle, Washington 98101
September 27, 2007

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TO THE COMMISSIONER FOR PATENTS:

This paper is filed in response to the final Office Action mailed on July 30, 2007. Presently, Claims 1-18 are pending in the application. Of these, Claims 15-18 have been withdrawn from consideration. Claims 1-14 have been examined and stand rejected. Reconsideration of Claims 1-14 is respectfully requested.

The Rejection of Claims 1-14 Under 35 U.S.C. § 103(a)

Claims 1-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,811,879 (Dezutter) that incorporates U.S. Patent No. 6,769,119 (Vrbanac) by reference.

In rejecting the claims, the Examiner appears to be stating that even though the cited prior art process includes additional steps in between the claimed steps, the references, nevertheless render the claims obvious because one skilled in the art *could have* combined the elements as claimed by known methods and that, in combination, each element would have performed the same function as it did separately. This approach is erroneous as the Examiner is merely concluding that the claimed invention is obvious by demonstrating that each of the elements is independently known in the prior art. This approach fails to consider the actual teachings of the references and whether there is, in fact, an actual reason for combining the two references.

Claims 1 and 7 are both related to a method wherein before feeding dewatered pulp into a pulp flaker, the pulp is leveled to produce a substantially even quantity of pulp mass flow so that the flow to the pulp flaker is generally constant. In rejecting the claims, the Examiner mentions